

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
Greenbelt Division**

JAMES L. WILLIAMS, <i>et al.</i>)	
)	
Plaintiffs,)	
)	
v.)	Civil Action 8:16-cv-00058-PWG
)	
CORELOGIC RENTAL PROPERTY SOLUTIONS, LLC,)	
)	
Defendant.)	

**JOINT MOTION TO TEMPORARILY STAY PRETRIAL DEADLINES
PENDING COMPLETION OF MEDIATION**

Plaintiffs and Defendant, through their respective attorneys of record, state as follows in support of their motion for a brief stay of existing pretrial deadlines pending the completion of formal mediation:

Procedural History

1. Plaintiffs filed this putative nationwide class action against the Defendant alleging violations of the Fair Credit Reporting Act ("FCRA"), 15 U.S.C. §§ 1681, *et seq.*, along with other individual FCRA claims. The Defendant has contested those claims. Over the past year, the parties have been involved in extensive discovery efforts and have been cooperatively working together to exchange information, both formally and informally. Those efforts have included depositions, written discovery, and the exchange of extensive database samples under an agreed-upon protocol.

2. The existing Scheduling Order sets a discovery cutoff of May 3, 2017. (Dkt. No. 97.) The parties currently have pending one set of seven interrogatories served by Plaintiffs, one request for a Rule 30(b)(6) deposition of the Defendant, and one third-party deposition notice served by the Defendant. Mutual expert disclosures are also scheduled for May 9, 2017. No

further written discovery can be served by any party based on the existing close of discovery. The parties also continue to meet and confer about responses to some discovery requests and other outstanding items, and have agreed to exchange some additional information prior to the mediation.

3. Due to the substantial exchange of information that has occurred to date and the continued vetting of the claims alleged, the parties seek to explore the possibility of settlement in this matter. To that end, the parties have agreed to a formal mediation in Dallas, Texas on June 15, 2017. That mediation will be led by Rodney A. Max,¹ an experienced mediator who has previously assisted undersigned counsel in mediating putative FCRA class actions. The parties believe that Mr. Max is well qualified to act as mediator in this dispute. Mr. Max is in high demand and has few available dates. Indeed, June 15 was one of the first available dates that Mr. Max had available on his calendar to mediate this action.

4. As noted above, certain deadlines are also coming due under the Court's Scheduling Order, including with respect to the written discovery that has been served, deposition practice, and the parties' expert disclosures.

ARGUMENT

As part of its power to control its docket, this Court has the authority to stay the deadlines established by its Scheduling Order. *See, e.g., Landis v. North Am. Co.*, 299 U.S. 248, 254 (1963) ("A Court's power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort, for itself, for counsel and for litigants.").

The parties request a brief stay of the deadlines at this juncture for reasons of efficiency, to minimize potentially-unnecessary costs, and to allow them to concentrate their efforts on the

¹ <http://www.uww-adr.com/biography/rodney-a-max>

mediation that has been scheduled for June 15, 2017. A stay, as opposed to a simple extension of the existing deadlines, will also enable the parties and the Court to fully assess the status of settlement discussions and litigation after the June 15 mediation, and to thereafter act in light of the existing circumstances of the case.

Therefore, the parties request that the Court stay all pre-trial deadlines in this matter, with the parties agreeing to submit a joint report to the Court by June 25, 2017, updating the Court on the status of settlement discussions and the litigation, and further advising the Court of the proposed schedule then requested by the parties. If settlement has not been reached at that time, the parties will propose for consideration a litigation schedule encompassing the deadlines that have not yet lapsed under the existing Scheduling Order. The parties will ensure that the proposed litigation schedule returns the case to a prompt litigation track, if necessary.

This proposed stay of the existing pre-trial deadlines, along with the requirement that the parties update the Court as to the status of their dispute shortly after their formal mediation session has concluded, will not prejudice any of the parties and will not affect any trial date in this action, which has not yet been scheduled.

Counsel for the parties agree and represent to the Court they that believe that the process undertaken, and the relief requested by this motion, will maximize the possibility for substantive, good faith settlement negotiations in this complex case.

**JAMES L. WILLIAMS and
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CERTIFICATE OF SERVICE

I certify that on April 21, 2017, a true and correct copy of the foregoing was filed on the Court's Electronic Filing System, which will send a notice of electronic filing to:

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